THE VICE-CHAIRMAN (SHRI SANATAN BISI): We shall now take up clause-by-clause consideration of the Bill.

Clause 2 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI NITISH KUMAR: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI SANATAN BISI: We shall now take up the Marriage Laws (Amendment) Bill, 1997.

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS, MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS, AND MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI RAM NAIK): Sir, the Law Minister is held up in the Lok Sabha. If the House agrees, the subsequent Bill which is in the name of Shri Kashiram Rana be taken up.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): Now we take up the Indian Majority (Amendment) Bill, 1997.

SHRI RAM NAIK: Sir, all these Bills are in the name of Shri Thambi Durai. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SANATAN BISI): Okay. We take up the Cotton Ginning and Pressing Factories (Repeal) Bill, 1998. Shri Kashiram Rana.

THE COTTON GINNING AND PRESSING FACTORIES (REPEAL) BILL, 1998

THE MINISTER OF TEXTILES (SHRI KASHIRAM RANA): Sir, I beg to move:

> "That the Bill to repeal the Cotton Ginning and Pressing Factories Act, 1925, as passed by Lok Sabha, be taken into consideration."

Sir, there are almost 4000 cotton ginning and pressing factories in the country. A large number of these have very old machinery. These factories have, generally, not invested in modernisation over the years. Perhaps, they did not have adequate incentive to do so. These units are covered by the Cotton Ginning and Pressing Factories Act of 1925. This Act contains a number of provisions which have been complied with by the ginning and pressing factories, such as, periodical filing of returns, maintenance of registers, marking of bales, etc. The Act provides rule-making powers for both the Central and State Governments for the purpose of regulating the ginning and pressing factories.

Sir, over the years, since the enactment of the Act, there have been changes in the pattern of processing, marketing and consumption of cotton. We don't wish to impose any unnecessary controls on the cotton ginning and pressing factories. In the market, there is an increasing demand for quality products. However, the constraints which come in the way need to be addressed. One of the constraints is contamination of cotton. Unfortunately, in the international market, Indian cotton is regarded as very contaminated. There is, therefore, urgent need for modernisation of cotton ginning and pressing factories and improvement in that package.

Sir, the repeal of the Act will, we hope, provide a thrust and incentive to the modernisation efforts in the cotton ginning and pressing factories. These, in turn, will encourage quality processing of cotton. Ginning and pressing factories will be able to charge appropiate price commensurate with the service provided. In the present liberalised industrial scenario, many of the restrictions laid down in the Cotton Ginning and Pressing Factories Act, 1925 are not required in the industry. It is felt that the Cotton Control Order of 1986, issued under the Essential Commodities Act, 1955 would cover the provisions considered essential to regulate the working of cotton ginning and pressing factories in future. As the hon. Members are well aware, we are also pursuing other incentives to help textile industries become more competitive. For instance, there is a proposal to launch a Technology Mission on Cotton Development which is in an advanced stage of finalisation. In fact, the hon. Finance Minister, in his Budget Speech announced allocation of Rs. 60 crores for the

implementation. Activities under this proposed Technology Mission would cover both pre-harvest as well as post-harvest operations. While the proposal for the mission is being piloted by the Ministry of Agriculture, my Ministry will be responsible for too many missions relating to marketing, infrastructure and processing of cotton.

Sir, in the proposed Technology Mission, we also propose to provide incentives to cotton ginning and pressing factories to encourage modernisation. Similarly, we are working on another proposal for technology upgradation fund scheme for textile and jute industry. Here again we are keen to encourage different identified schemes of textile industry to go in for technological upgradation and modernisation in order to be better equipped to meet international competition in the post MFA era. The present proposal for repeal of Cotton Ginning and Pressing Factories Act should, therefore, be seen in a wider context. I hope these measures will lessen some controls. It will also, in its own way, encourage modernisation in cotton ginning and pressing factories. This will help in availability of cleaner uncontaminated cotton. This should also help farmers on the one hand as well as the units which consume cotton on the other. I hope, the hon. House will be pleased to approve the repeal of Cotton Ginning and Pressing Factories Act, 1925.

The question was proposed

श्री संघ प्रिय गौतम (उत्तर प्रदेश): उपसभाध्यक्ष जी, मेरे ख्याल से चूंकि इस विधेयक के अस्तित्व के निरस्तीकरण के लिए यह विधेयक है इसलिए इस पर चर्चा की आवश्यकता नहीं है।

उपसभाध्यक्ष (श्री सनातन बिसि): इसमें कोई नाम नहीं है...(व्यवधान)

SHRI S. VIDUTHALAI VIRUMBI (Tamilnadu): This Bill is listed in the revised list of business. Members are not expected to give their names in advance. It has to go through ...(*Interruptions*)...

SHRI M. VENKAIAH NAIDU (Karnataka): When the Bill is taken up for consideration they can speak. ...(*Interruptions*)...

श्री जलालुद्दीन अंसारी (बिहार): मैं यह कहना चाहता हूं कि यह रिपील बिल है तो क्या इस पर कोई स्पष्टीकरण नहीं पूछा जा सकता है ...व्यवधान)...

†[جناب جلال الدین انصاری: میں یہ کہنا چاہتا ہوں کہ یہ ریپیل بل ہے تو کیا اس پر کوئی اسپشٹی کرن نہیں پوچھا جا سکتا۔ ...مداخلت...]

SHRI PRANAB MUKHERJEE (West Bengal): When the Bill comes up for passing, then the Members can intervene and can speak. Therefore, there is no bar on speaking but let it be taken up for consideration. The Member can speak at the third reading.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): Please take your seats. When I wan about to say this, Gautamji stood up ...(*Interruptions*)...

DR. BIPLAB DASGUPTA (West Bengal): My point is that the Business Advisory Committee is meeting within half-an-hour. It has not yet discussed this.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): No, the time has been allotted. For this one hour has been allocated.

श्री जलालुद्दीन अंसारी: उपसभाध्यक्ष महोदय, यह जो बिल लाया गया है। "कपास ओटाई और दबाई कारखाना (निरसन) विधेयक, 1998" मैं इसका विरोध नहीं करता, लेकिन जो पुराना बिल था "कपास ओटाई और दबाई कारखाना अधिनियम, 1925" जिसको रिपील किया जा रहा है, निरसन किया जा रहा है, इस संशोधन विधेयक के जरिए मेरा कहना है कि जो उद्देश्य और कारण इस बिल के बताए गए हैं, उसमें पहले के 1925 के एक्ट में जो व्यवस्थाएं थीं उन सारी व्यवस्थाओं को हटा रहे हैं और वर्तमान उदारीकृत औद्योगिक परिदृश्य में, कपास ओटाई और दबाई कारखाना अधिनियम, 1925 में अधिकथित निर्बन्धनों की अब और आवश्यकता नहीं है तथा आवश्यक वस्तु अधिनियम, 1955 के अधीन जारी कपास नियंत्रण आदेश, 1986 में वे उपबंध आ जायेंगे जो भविष्य में जब तक कपास आवश्यक वस्तु रहती है ओटाई और दबाई कारखानों का कार्यकरण विनियमित करने के

†[ ] Transliteration in Arabic Script

लिए आवश्यक समझे जाते हैं। हमारा कहना है कि इसमें जो कपास नियंत्रण आदेश, 1986 के उपबंधों को शामिल करने की बात भी कही है, यह कपास आवश्यक वस्तु अधिनियम में रहेंगे या फिर ये भी विलुप्त हो जायेंगे, इसका मैं स्पष्टीकरण चाहता हूं? यह सही है कि इसकी क्वालिटी, उसकी प्रोसैसिंग वगैरह की नई तकनीक आनी चाहिए और वह सारी सुविधाएं कपास की ओटाई और दबाई के क्षेत्र में जो हैं, उनको प्रोत्साहन और बल मिलता रहेगा। ऐसा तो नहीं कि इसको भी वह आधुनिकीकरण के नाम पर वे पुराने सारे जो उपबंध थे और उसके जरिए जो प्रोत्साहन मिलता था, वह खत्म तो नहीं होगा? इस आशंका को हम चाहते हैं कि मंत्री जी स्पष्ट करें। इस प्रकार इस बिल का हम समर्थन करते हैं।

†[सैयद जलालुद्दीन अंसारी, बिहार]: उप सभापति महोदय, यह तो बिल लाया गया है "कपास ओटाई और दबाई कारखाना (नेशनलाइजेशन) अध्यादेश 1998" में इस का और कोई उद्देश्य नहीं करता।

लेकिन जो पुराना बिल था कपास ओटाई और दबाई कारखाना अधिनियम 1925" जिसको रिपील किया जा रहा है, नेशनलाइज किया जा रहा है।

इस संशोधन अध्यादेश के जरिये। मेरा कहना है कि जो आदेश और कानून शुरू में

के बनाये गये थे उस में पहले के 1925 के ऐक्ट में जो जो सुविधाएं थीं उन

सारी सुविधाओं को बरकरार रखा है और मौजूदा "आर्डिनेंस एंड रिपीलिंग" में कपास

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ओटाई और दबाई कारखाने के कानून 1925 में "अध्यादेश" की अब और जरूरत नहीं है और जरूरी वस्तु अधिनियम 1955 के तहत जारी कपास नियंत्रण आदेश 1986 में वह अब बंधन आ जायेंगे

जो भविष्य में जबतक कपास जरूरी चीज रहती है ओटाई और दबाई कारखानों का कारोबार करने के लिए जरूरी समझे जाते हैं। हमारा कहना है कि इसमें जो कपास नियंत्रण आदेश 1986 के अब बंधनों को शामिल करने की बात भी कही है। यह कपास आवश्यक वस्तु अधिनियम में रहेंगे या फिर ये भी विलुप्त हो जायेंगे, इसका मैं स्पष्टीकरण चाहता हूं। यह सही है कि इसकी क्वालिटी, उसकी प्रोसैसिंग वगैरह की नई तकनीक आनी चाहिए और वह सारी सुविधाएं कपास की ओटाई और दबाई के क्षेत्र में जो हैं, उनको प्रोत्साहन और बल मिलता रहेगा। ऐसा तो नहीं कि इसको भी वह आधुनिकीकरण के नाम पर वे पुराने सारे जो उपबंध थे और उसके जरिए जो प्रोत्साहन मिलता था, वह खत्म तो नहीं होगा? इस आशंका को हम चाहते हैं कि मंत्री जी स्पष्ट करें। इस प्रकार इस बिल का हम समर्थन करते हैं।

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SHRI S.R. BOMMAI (Karnataka): Mr. Vice-Chairman, Sir, I am not able to understand the purpose of the Government in repealing the existing Act. On the other hand, the existing Act regulates the ginning and pressing of cotton in the factories. In a way, this regulates the ginning of the cotton. In fact, the Government has got powers to review the working of the ginning factories. The hon. Minister has stated that there are about 4,000 such factories in the country. But they are not modernised. Modernisation is something different. But the repealing of the Act will take away the powers of the Government with regard to regulating this process which is in the interest of the farmers or the cotton growers.

For example, there is a provision where cotton of lower quality cannot be mixed up in ginning. If it is done, the processed cotton would be of inferior quality. There is another provision which regulates payment to the farmer within a prescribed period if he brings cotton to a ginning factory. Many a time, it is delayed. The payment is delayed and the farmer is put to a great difficulty. How is the Government going to regulate this if this Act is repealed? Therefore, in my humble opinion, there could be certain amendments to the existing Act by which the Government can have more powers to regulate cotton ginning process, to remove the dangers that are involved, to look into the mixing up of cotton and also regular payment, as assured, to the farmer who brings cotton to a ginning factory. That is the reason why I oppose the repeal of this Act. I welcome amendments to the existing Act so that cotton ginning is properly processed and regulated in the larger interest of the grower as well as in the interest of the trade in maintaining the quality. With these few observations, I conclude. Thank you.

SHRI H. HANUMANTHAPPA (Karnataka): Mr. Vice-Chairman, Sir, I come from a cotton growing area. The Bill circulated, does not contain the Statement of Objects and Reasons as to why the Government wants to repeal this Act. The Statement of Objects and Reasons has not been appended to the Bill. I do not know why the Government is repealing it. There is no justification at all. I support what Mr. Bommai has said. He pointed out the deficiencies in the working of the ginning factories. How does the Government want to rectify them if they do not have any control or Act? Actually, ginning factories are collecting cotton from the farmers and they do not pay for years together. Many farmers have become poorer by supplying cotton to ginning factories. The ginning factories do not maintain the labour force properly. They do not pay the wages to the labourers. A lot of things are involved. He says there are 4,000 factories in the country. How are you going to control them in the absence of this Act? What other means do not have at your disposal to supervise, monitor and control these factories? Are you not giving an un-bridled power to the ginning owners? Most of them are in private sector over which you have no control at all. After repealing this Act, you will lose further control over them. There will be a mixing up of cotton. Higher staple and lower staple will be mixed. Ultimately that affects the spinning mills and the spinners. Even spinners in khadi and village industry sector are depending upon ginning factories and cotton. How do you control them? Why are you letting off these 4,000 factories? What is the mechanism by which you can have supervision or monitoring powers for the Government? Why are you going to throw away all of them? All the 4,000 private factories will become lords. They become exploiters of both, the labour-front and the farmer-front. What is the remedy in the hands of the Government to rectify these mistakes? The Government has not come forward with any remedy. With these observations, I oppose the repealing of this Act. Thank you.

SHRI M. VENKAIAH NAIDU: Sir, I think, Hanumanthappaji has not gone through the Objects and Reasons. *(Interruptions)*

SHRI H. HANUMANTHAPPA: It is not here. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI SANATHAN BISI): Please wait. *(Interruptions)* Please wait. Just a minute *(Interruptions)* So far as the Objects and Reasons are

concerned they have already been circulated when the Bill originated in the House.

SHRI M. VENKAIAH NAIDU: That is what I am saying. It has already been circulated.

SHRI S. VIDUTHALAI VIRUMBI: Vice-Chairman, Sir, I rise to oppose this Bill vehemently. Earleir, I stood by the Minister in support of this Bill. But now I oppose this vehemently because first of all I feel that, as has been told by the other Minister, the hon. Minister is not here, and he is in the other House. Then, they want to push through the Bill. It is an intrigue because three or four Bills have been left and this Bill has been taken up. Legally the Government is entitled to take up any Bill, once listed. But the ground reality is totally different. Why do they want to put it in such a manner? Rather I would say this has been brought up for discussion in a clandestine manner. I am saying so because in the Cotton Control Order, 1986 they say that it is not at all necessary. The reason for repealing which they have given is, I quote, "There have been changes in the pattern of processing, marketing, and consumption of cotton, since the enactment of the Act. In a market-driven economy, making quality products, modernization of ginning and pressing factories is essential. I want to know whether the Cotton Control Order, 1986 stands in the way of modernization. In the present liberalised industrial scenario, the restrictions laid on the cotton ginning and pressing factories in 1925, are not required any longer. This is the observation made by the hon. Minister. We totally differ from it. Why? In the Cotton Control Order, 1986, it has been mentioned regarding the control of stocks and I quote, "The Textile Commissioner may specify the maximum quantity of cotton which a manufacturer may have in possession at any time." Now, the Government thinks that a manufacturer can possess any quantity in spite of the market availability of the cotton. That is the meaning of that. I can say, from my experience from 1990 to 1995, during my previous tenure when I was in the Consultative Committee of the Textile Ministry, that the cotton barons planned to export the long-staple fibre cotton to the other countries, thereby creating an artificial scarcity. They wanted to buy the same type of the cotton from Egypt. This is what they had done. When this matter came to us, we discussed it with the then Government, and the Government agreed that there was a plan on the part of cotton barons. Then, we put a brake on it by unanimously passing a Resolution in the Consultation Committee on textiles to the effect that whatever exports had taken place prior to that Resolution could only be exported in that particular year. So, what I want to say is that the cotton barons have always been playing politics and lobbying. And what I feel is that by repealing this Act, you are going to take away the powers being enjoyed by the Textile Commissioner. I would like to know which Act is available with you now. Does it possess the same powers, or has it delegated the same powers, or does it confer the same powers to the officer?

Secondly, regarding the bales, I quote, "Every owner of a cotton ginning factory or a cotton pressing factory or a cotton ginning and pressing factory shall pack cotton only in bales, containing 170 kg. Cotton." So, even the weight of the bales is determined by this Act, I would like to know whether you have the same type of provisions in this Act, if it is repealed.

Then, Sir, I come to the most important thing, that is, the power to call for information, power to inspect, search and seize.

This is important. That is, you are going to give up the power that has so far been enjoyed by the Government. The Textile Commissioner may, with a view to securing compliance with this order, (i) require any manufacturer to give any information with respect to the quantities and varieties of cotton held in his possession; (ii) Inspect or cause to inspect any book or any document belonging to the manufacturer; and (iii) To enter and search, or, authorise any person to enter and search any premises and seizure, and authorise any person to seize any article in respect of which he has reason to believe that the contravention of this order has been committed, and any other article in the premises which he has reason to believe has been or is intended to be used in connection with such contravention. That is the seizing

power, checking power and the power to go through the accounts. All these powers once repealed means that these have automatically gone out of hand. I would like to know whether in regard to the Essential Commodities Act, you have some powers or it is going to be given up. If the officers are going to retain the power that is contained in this, then there will be a reason behind that. Otherwise, what I feel is that the cotton barons have exercised some pressure, to which, unfortunately, the Government has actually subjected itself, and the Government has surrendered to the cotton barons. For these reasons I totally oppose this Bill. With these words, I conclude. Thank you.

SHRI JIBON ROY (West Bengal): I stand to oppose the Bill. Many hon. Members have already spoken. Though generally it is surprising that the Government is bringing a Bill repealing the Act, it is not bringing anything to replace that Act. It is generally surprising. Everybody will find it surprising. But I am not surprised because I understand the policy direction of your Government. The general direction is to enchain the labour and to liberate the factory owner in the private sector from all bound of law. It is the general policy platform on which you are walking.

The existing Act has three sets of laws. One set of law is that it provides some quarantee and protection to the farmer. It provides some protection to the labour. It provides some protection to the general public. These three sets of protective regulations are there. By repealing, you withdraw all regulations in the matter of stocks. Now, after the repeal anybody can pile up stocks. Anybody can pile up stocks and the Government will have no power, the Government will have no authority. In the existing Act there is a provision as to how much quantity can be kept. That also you have withdrawn. Under the existing law, if any factory owner does anti-national job by pilling an hoarding, then the Government has the authority to make a search. That right is also withdrawn. Under the existing law, payment to the farmer is guaranteed, when it is in the general knowledge that farmers are not paid regularly by the owners of the ginning mills. That is being withdrawn. In the existing law some safety provisions are there. That is also withdrawn. What is the logic? The logic is that modernisation is taking place. Whom are you making a fool of? What is your attitude? What is your objective? Modernisation does not take place over night. Even after modernisation in many factories old processing systems will continue. What are the safety measures in those areas? You are taking up a position as if the existing law is standing against modernisation.

4.00 P.M.

The existing law imposes some regulations. You want to withdraw those regulations. You want to liberate factory owners for doing all kinds of misdeeds. So, why don't you come out frankly and say that this is your policy say so, this is the direction of your Government. Your Government no longer represents the people. It represents the mill-owners and big industrialists. So, what is wrong in saying so?

With these words, I vehemently oppose this Bill.

श्री गांधी आज़ाद (उत्तर प्रदेश) उपसभाध्यक्ष महोदय, आधुनिकीकरण के नाम पर यह कपास ओटाई तथा दबाई कारखाना (निरसन) विधेयक, 1998 का लाना न्यायसंगत नहीं है, इसलिए मैं इसका विरोध करता हूं। आधुनिकीकरण किया जाना एक अच्छी बात है लेकिन उसके दूसरे पहलू को भी ध्यान में रखा जाना चाहिए जिसके कारण इस देश में बेरोजगारी बढ़ती जा रही है और लगातार बढ़ती जा रही है। किसानों को तो किसी न किसी तरह से कपास का मूल्य मिल जाता है लेकिन इस आधुनिकीकरण से श्रमिकों का शोषण ज्यादा होता रहता है। इस विधेयक में श्रमिकों के हितों का ध्यान नहीं रखा गया है, इस कारण से मैं इस विधेयक का विरोध करता हूं। धन्यवाद।

श्री कांशीराम राणा: उपसभाध्यक्ष महोदय, माननीय सदस्यों ने इस बिल के बारे में बहुत सारे प्वाइंट्स उठाए हैं। पहले तो मैं यह कहना चाहूंगा कि जो यह बिल रिपील करने के लिए लाया गया है, वह इसलिए लाया गया है जैसा मैंने पहले कहा कि जो इसैंशियल कमोडिटीज़ ऐक्ट है 1955 का, उसके तहत 1986 में जो कॉटन कंट्रोल ऑर्डर बनाए गए और जो प्रोविजन कॉटन कंट्रोल ऑर्डर में है, उसमें से बहुत सारे प्रोविजन कॉटन जिनिंग ऐड प्रैसिंग फैक्ट्रीज़ ऐक्ट, 1925 में भी हैं। यह जो कई प्रोविजन्स की ओवरलैपिंग थी, उससे हमारे किसान और फैक्ट्री ओनर्स बहुत ही परेशान थे। वे चाहते थे कि उनके ऊपर कम से कम नियंत्रण हो। ऐसा नहीं है कि नियंत्रण उठाने से होर्डर्स

को लाभ होगा, ब्लैक-मार्केटियर्स को लाभ होगा, फैक्ट्री ओनर्स को लाभ होगा। ऐसा नहीं है। महोदय, इस देश में जो कॉटन होता है, उसकी क्वालिटी अच्छी हो और किसानों को उसकी रिम्यूनरेटिव प्राईस मिले, सिर्फ इसी उद्देश्य को ध्यान में रखते हुए यह बिल यहां पर लाया गया है। मुझे याद है कि इस बिल के बारे में स्टैंडिंग कमेटी ऑफ कॉमर्स ने भी चर्चा की थी और रिपोर्ट भी दी थी 8.12.96 को और उन्होंने सर्वसम्मति से यही रिपोर्ट दी थी इस बिल को खत्म कर दिया जाए।

उपसभाध्यक्ष महोदय, यहां पर कई माननीय सदस्यों ने कहा है की इन बिल के प्रोविजन्स को खत्म कर देने से रिपील कर देने से बहुत परेशानी होगी। मैं यह कहना चाहता हूं कि आप अगर मुझे आदेश दें तो एक-एक क्लाज़ में कॉटन कंट्रोल ऑर्डर में कहां-कहां पर उसका समावेश किया गया है, यह मैं जरूर बताना चाहता हूं। चाहे वह डैप्रिसियेशन के बारे में हो, चाहे मार्केटिंग के बारे में हो, चाहे रिटर्न भरने के बारे में हो, सभी प्रोविजन्स पहले से ही कॉटन कंट्रोल ऑर्डर में विद्यमान हैं। इतना ही नहीं जो प्रोविजन जिनिंग ऐंड प्रैसिंग फैक्ट्रीज ऐक्ट में नहीं है, उससे भी अच्छा प्रोविजन कॉटन कंट्रोल ऐक्ट में रखा गया है। एक ही प्रोविजन कंट्रोल आर्डर में है और एक्ट में है। तो इन दोनों जगहों से फैक्टरी ऑनर परेशान होते थे। मैं कहूंगा कि देश में चार हजार जिनिंग तथा प्रेसिंग फैक्टरी हैं। आप सब सांसद भी अच्छी तरह से जानते हैं कि यह किस स्थिति में हैं और किस प्रकार से कंटिमेनेटेड कॉटन की हमारे पास कितनी कम्पलेंड है, तो इसे देखते हुए हम चाहते हैं, सरकार चाहती है कि यह जो बिल है और इस बिल में जो 1925 में बना हुआ एक्ट है यह खत्म कर देने से कोई परेशानी होनी वाली नहीं है। कॉटन कंट्रोल आर्डर में पूरा प्रोविजन उसमें किया गया है जो एसेंशियल कमोडिटीज एक्ट के अन्तर्गत है। वैसे....(**व्यवधान**)

श्री एच. हनुमनतप्पा (कर्णाटक): एसेंशियल कमोडिटीज एक्ट के शैड्यूल में कॉटन नहीं है। कैसे वह लागू होता है?

श्री काशीराम राणा: जो एसेंशियल कमोडिटीज एक्ट हमारे पास है...(**व्यवधान**)

श्री एच. हनुमनतप्पा: उस शैड्यूल में कॉटन नहीं है। इससे कोई केस टिकेगा नहीं। ...(**व्यवधान**)

उपसभाध्यक्ष (श्री सनातन बिसि): आप बैठिए।

श्री एच. हनुमनतप्पा: एसेंशियल कमोडिजीज एक्ट में जो प्रोविजन है वह कॉटन एट्रेक्ट नहीं करेगा। कॉटन उस शैड्यूल में नहीं मिलाया गया है। अगर कॉटन जिनिंग फैक्टरी के ऊपर एसेंशियल कमोडिटीज एक्ट में आप केस डालेंगे तो वह टिकेगा नहीं। कंट्रोल आर्टर रहने से कुछ भी तकलीफ नहीं होगी। एक्ट को क्यों रिपील कर रही है गवर्नमेंट, पॉवर को क्यों छोड़ रहे हैं? इसका जवाब नहीं आया।

श्री काशीराम राणा: माननीय हनुमनतप्पा जी जो कहते हैं, यह जो हमारे पास एसेंशियल कमोडिटीज एक्ट-1955 है और कॉटन जिनिंग तथा प्रेसिंग फैक्टरीज एक्ट-1925 है, तभी से कम्पलेंड आनी शुरू हुई हैं, अभी जो समय चल रहा है...(**व्यवधान**)

उपसभाध्यक्ष (श्री सनातन बिसि): उनका स्पेशल पोइंट है। मेंबर का यह कहना है कि एसेंशियल कमोडिटीज एक्ट में कॉटन के बारे में जो है वह नहीं है, वह बोलते हैं। व्हाइट इस योर रिप्लाई?

श्री कांशीराम राणा: सर, एसेंशियल कमोडिटीज एक्ट के अंदर जो प्रोविजन था इसके आधार पर तो कॉटन कंट्रोल आर्डर बना है और इसे देखते हुए कॉटन कंट्रोल आर्डर में जो प्रोविजन हैं वही प्रोविजन इसमें से कई कॉटन जिनिंग एंड प्रेसिंग फैक्टरीज एक्ट में हैं, यानी इसका ओवरलेपिंग, इसका बहुत सारा डुप्लीकेशन या मल्टीफिकेशन दूर करने के लिए यह एक्ट लाया गया है।

SHRI H. HANUMANTHAPPA: Your factory partners will be left free. The Government will have no control over them. The Government will have no power over them. Why are you relinquishing your power?

श्री कांशीराम राणा: सर, हनुमनतप्पा जी का ख्याल होगा, मैंने कहा कि आप परमिशन दें तो मैं एक-एक प्रोविजन सामने रख सकता हूं। इससे किसी को हम कोई फायदा पहुंचाने के लिए यह बिल नहीं लाए हैं या किसी होर्डर को बचाने के लिए बिल नहीं लाए हैं। हम सिर्फ इसलिए लाए है कि प्योरली किसानों को सामने रखते हुए देश में कपास का उत्पादन और कंटमिनेटेड कॉटन की कम्पलेंड जो कम हो, इसीलिए लाए हैं। सर, जो जिनिंग एंड प्रेसिंग फैक्टरी एक्ट हमारे पास है, अभी एक नई कॉटन टेक्नोलाजी मिशन की भी शुरुआत हो रही है। इसमें भी हमने जिनिंग एंड प्रेसिंग फैक्टरी के लिए कुछ प्रोविजन भी रखे हैं। तो और हमारा कॉटन टेक्नोलोजी मिशन में है, कॉटन कंट्रोल आर्डर में है, एसेंशियल कमोडिटीज एक्ट में है, सर।...(**व्यवधान**)

DR. BIPLAB DASGUPTA: Mr. Vice-Chairman, Sir, I thought that I was the only one who had not read the Bill. Now, it seems

even the Minister has not read the Bill. A simple question was put whether the Essential Commodities Act covers cotton or not. He could not verify it. It is a factual question.

SHRI KASHIRAM RANA: Yes, it covers.

DR. BIPLAB DASGUPTA: Why don't you read it out? Some of your officials must be there to help you on this. It is a relevant and specific Act.

SHRI M. VENKAIAH NAIDU: Mr. Vice-Chairman, Sir, let us go into the Act. In the Act itself it has been clearly stated that the Cotton Control Order, 1986 was issued as per the provisions of the Essential Commodities Act. This is very much there is the Bill.

DR. BIPLAB DASGUPTA: Let the Minister defend the Government.

SHRI KASHIRAM RANA: I ordered it. When I introduced this...*(Interruptions)*.

DR. BIPLAB DASGUPTA: how will the Order become the Act? You will have to explain to us. *(Interruptions)*.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): Just a minute, please. Take your seats.

SHRI H. HANUMANTHAPPA: Mr. Vice-Chairman...

THE VICE-CHAIRMAN (SHRI SANATAN BISI): You have already said what you wanted to.

SHRI H. HANUMANTHAPPA: Cotton is not included under the Essential Commodities Act Schedule. Whatever order is passed under that, if you question it under the Essential Commodities Act, it will not stand the test of law. The Minister is not remedying it. *(Interruptions)*.

SHRI C.P. THIRUNAVUKKARASU (Pondicherry): Sir...*(Interruptions)*

THE VICE-CHAIRMAN (SHRI SANATAN BISI): What do you want to say?

SHRI C.P. THIRUNAVUKKARASU: Cotton is coming under the Essential Commodities Act. The Cotton Control Order is passed by virtue of the powers conferred under sections 3 and 7 of the Essential Commodities Act. So, cotton is coming under the provisions of the Essential Commodities Act.

SHRI M. VENKAIAH NAIDU: And this was done during the Congress regime. *(Interruptions)*

THE VICE-CHAIRMAN: (SHRI SANATAN BISI): Just a minute.

SHRI H. HANUMANTHAPPA: The Minister has to satisfy the House. The Congress might have done it. The Congress wanted that Act. Why are you repealing it? You have to satisfy the House. *(Interruptions)*

PROF. VIJAY KUMAR MALHOTRA (Delhi): You wanted to repeal it. Now it is being done.

SHRI H. HANUMANTHAPPA: If I wanted to repeal it, I would have satisfied the House. You satisfy us and get it passed.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): He says that cotton is included under the Essential Commodities Act.

PROF. VIJAY KUMAR MALHOTRA: The Cotton Control Order contains all the clauses. *(Interruptions)*

SHRI H. HANUMANTHAPPA: How do you safeguard the interests of the farmers? That is our question. You are withdrawing it. How do you safeguard their interests when they are not paid for years together? If he becomes bankrupt...*(Interruptions)*.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): What is your point?

SHRI KASHIRAM RANA: For the safeguard of the farmers or cotton growers, we are ...*(Interruptions)*.

SHRI JIBON ROY: The interests of the labour should also be safeguarded.

SHRI KASHIRAM RANA: Yes, the labour also *(Interruptions)*

इसलिए मैं माननीय सांसदों से यह विनती करूंगा कि जो 1925 का ऐक्ट है, जिसमें से सभी प्रोवीजन हमारे कॉटन कंट्रोल ऑर्डर में हैं, इसके अलावा भी ऐसेंसियल कमोडिटीज ऐक्ट है। तो एक ही ऐक्ट में-डुप्लीकेशन या मल्टीप्लीकेशन-जो प्रोवीजन है।

उपसभाध्यक्ष (श्री सनातन बिसि): वह तो आप कह चुके हैं।

श्री कासीराम राणा: इसलिए मैं चाहता हूं कि इस बिल को पास कर दिया जाए जिससे हमारे कॉटन ग्रोअर्स जो नियंत्रण से परेशान हैं, वह मुक्त हो पाए। धन्यवाद।

THE VICE-CHAIRMAN (SHRI SANATAN BISI): Now, the question is:

"That the Bill to repeal the Cotton Ginning and Pressing Factories Act, 1925, as passed by Lok Sabha, be taken into consideration."

The motion was adopted

THE VICE-CHAIRMAN (SHRI SANATAN BISI): We shall now take up clause-by-clause consideration of the Bill.

Clause 2 was added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI. H. HANUMANTHAPPA: Mr. Vice-Chairman, now we are in the third reading. Let the Minister at least assure...

SHRI VICE-CHAIRMAN (SHRI SANATAN BISI): He has already stated that.

SHRI H. HANUMANTHAPPA: He has not assured.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): No, no He has said that. (*Interruptions*). Those things are there in the Act.

SHRI KASHIRAM RANA: Sir, I move:

"That the Bill be passed."

The question was put and the motion was- adopted.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): Now, we will take up the High Denomination Bank Notes (Demonetisation) Amendment Bill, 1998. Shri Yashwat Sinha.

THE HIGH DENOMINATION BANK NOTES (DEMONETISATION) AMENDMENT BILL, 1998

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA): Sir, I beg to move:

"That the Bill further to amend the High Denomination Bank Notes (Demonetisation) Act, 1978, as passed by the Lok Sabha, be taken into consideration."

The yearly demand for fresh currency notes has been growing at the rate of 15—20 per cent. In order to increase the production of currency/ bank notes, Govt. has initiated several measures like (1) modernisation of existing two note- printing Presses at Nasik and Dewas; (2) setting up of two new note presses under the control of RBI; (3) introduction of Rs. 500 note to relieve pressure on Rs. 100 denomn. note; and (4) import of printed notes to the extent of 3600 million pieces (2000 million of Rs. 100 and 1600 million pieces of Rs. 500 denomn) of a total face value of Rs. 1,00,000 crores. Despite these measures, the demand-supply gap of fresh notes is expected to go upto 12680 million pieces by 2005. The year-wise gap is as follows:

Year	Shortfall	
1998-99	5574	Million pieces
1999-00	2300	Million pieces
2000-01	4350	Million pieces
2001-02	6600	Million pieces
2002-03	7480	Million pieces
2003-04	9580	Million pieces
2004-05	12680	Million pieces

The Government has, therefore, proposed to print Rs. 1000 note in order that the note-supply position in the country is improved.

Sir, prior to 1978, we had in circulation high denomn. notes of Rs. 1000, Rs. 5000 and Rs. 10000 However, as per provisions of the High Denomination Bank Notes (Denomination) Act, 1978, all these high demonetisation notes have ceased to be legal tender in payment or on account at any place on 16.1.78, i.e., the date on which the above mentioned Act had come into force. In order to facilitate issue of the proposed Rs. 1000 note, the High Denomination Bank Notes (Demonetisation) Act, 1978, would require amendment.

While the preamble to High Denomination bank Notes (Demonetisation) Act, 1978, states that "the availability of high denomination banknotes facilitates the illicit transfer of money for financing transactions which are harmful to the national economy or which are